

**REAL ESTATE CONTRACTUAL FORMS ADVISORY COMMITTEE  
MINUTES  
JUNE 7, 2006**

- PRESENT:** Casey Clickner, Tom Feiza, Margaret Henningsen (joined the meeting at 10:41 a.m.), Richard Hinsman, Michael Holloway, Michael Mach (was excused from the meeting at 11:51 a.m.), Scott Minter, Mary Pangman Schmitt, Richard Staff, Peter Sveum; Jennifer McGinnity
- STAFF:** Tim Wellnitz, Bureau Director; William Black, Legal Counsel; Nicole Goodman, Bureau Assistant; Other Department staff were present for portions of the meeting
- GUESTS:** George Russell, Wisconsin Legal Blank, Tracy Rucka, WRA, Debbi Conrad, WRA, Cori Lamont, WRA

**CALL TO ORDER**

Peter Sveum, Chair, called the meeting to order at 10:05 a.m. A quorum of 11 members was present.

**ADOPTION OF AGENDA**

- MOTION:** Michael Mach moved, seconded by Michael Holloway, to approve the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF (March 30, 2006)**

- MOTION:** Michael Holloway moved, seconded by Mary Pangman Schmitt, to approve the minutes of March 30, 2006 as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT – TIM WELLNITZ, BUREAU DIRECTOR**

Mr. Wellnitz informed the Committee that the travel vouchers need to be carefully filled out.

**RECOMMENDATIONS FOR REVISION OF CONTRACTUAL FORMS**

**Review of Agency Law Addendum Forms**

- MOTION:** Rick Staff moved, seconded by Richard Hinsman, to approve William Black's draft of the Broker Disclosure to Clients and the Broker Disclosure to Customers and to make it available to the public and brokers as a model for their use in their practice. Motion carried unanimously.

**Review of Draft Residential Listing Contract – Exclusive Right to Sell (WB-1)**

The Committee reviewed and discussed a draft of the WR-1 Residential Listing Contract – Exclusive Right to Sell. William Black and Rick Staff each prepared a draft for the Committee to review.

The Committee made a motion to accept the language on page 31 lines 9-11.

**MOTION:** Rick Staff moved, seconded by Michael Holloway, to approve that provision in its entirety. Motion carried unanimously.

The Committee made a motion to accept the language on page 31 lines 21-32.

**MOTION:** Rick Staff moved, seconded by Scott Minter, to direct the drafter to maintain the current status of the warranty title as it has been used the last several years but to continue to expand on the language so that the sellers and brokers understand the scope of the warranty and the need to add exceptions to that warranty. Motion carried unanimously.

After review and discussion of the various drafts, the Committee agreed to the following changes:

- Use the language in the CONDITION REPORT on the current draft as it reads on page 38, lines 24-28
- Use the language in the DEADLINES –DAYS AND HOURS in Rick Staff’s draft as it reads on page 33, lines 57-63
- Use the language in the AGENCY DISCLOSURE in William Black’s draft starting on page 27, line 258-413, with a change in line 322, add “a” before “broker” and line 361, corrected to statutory form.

The Committee will review the ENFORCEABLE CONTRACT language at the next meeting. They would like to further discuss fixtures, water softeners, sex offender registry and line 37 on the current form. The Committee requested that William Black revise the WB-1 Listing Contract with the suggested changes for review at the next meeting.

### **Review of Other Contractual Forms for Revision**

William Black and Rick Staff will work together to prepare a draft of WB-36 Buyer Agency/Tenant Representation Agreement for the Committee to review at the next meeting.

### **Schedule Future Meeting Dates**

The Committee has scheduled future meeting dates for July 18 and August 22, 2006

## **ADJOURNMENT**

**MOTION:** Mary Pangman Schmitt moved, seconded by Rick Staff, to adjourn the meeting at 1:32 p.m. Motion carried unanimously.

**NEXT MEETING: JULY 18, 2006**